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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,801	08/31/2001	Kunihiko Kido	566.40564X00	8434
24956	7590	11/21/2005	EXAMINER	
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			VIG, NARESH	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/942,801

Applicant(s)

KIDO ET AL.

Examiner

Naresh Vig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 20030213.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This is in reference to response received 08 September 2005 to the office action mailed 19 August 2005. There are 18 claims, claims 1 – 18 pending for examination.

#### ***Election/Restrictions***

Claims 1 - 18 are elected for examination. Election was made **without** traverse in the reply filed on 08 September 2005.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter US Patent 5,926,798 in view of HomeGain and further in view of Solomon US Patent 5,035,288.

Regarding claims 1, 3 and 15 – 18. Carter teaches an introduction support method, in which a computer connected to various terminals through an information transmitting medium is used to support a coordinator in introducing a provider who can provide a service conforming with a request of an applicant (performing computer-based on-line commerce in which a client computer issues a commercial request and a plurality of server computers is available to service said request, said method, performed by an intelligent agent) [col. 4, lines 6 – 9].

Carter does not teach a provider registration for receiving a desired term on a providable service from a terminal of a provider, and for registering said desired term in association with information on said. However, it is a business choice to limit method and system to registered users only (e.g. eBay) or open to public (non affiliated users). HomeGain teaches system and method for matching requester of services to provider of services. HomeGain teaches that its user are required to be registered.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Carter as taught by HomeGain to ensure that the suppliers and requesters are legitimate users of the system.

Carter in view of HomeGain teaches providing state registration for obtaining providing state information on occasions of said provider for providing a service, and for registering said providing state information in association with the provider information of said provider (HomeGain Agent Registration);

As responded to earlier, Carter in view of HomeGain teaches an applicant registration for receiving an application for use of a service that an applicant wishes to enjoy, from a terminal of said applicant, and for registering said application in association with information on said applicant;

Carter in view of HomeGain teaches:

an introduction candidate selection for selecting desired terms that satisfy at least a part of contents of said application, out of desired terms registered by said provider registration step, and for selecting providers each specified by provider information associated with each of the selected desired terms, as introduction candidates [Fig. 3 and disclosure associated with Fig. 3];

an introduction candidate, for outputting an introduction candidate list to a terminal of said coordinator, with said introduction candidate list describing said provider information, said desired term and said providing state information for each of said providers selected in relation to said application in said introduction candidate selection step (Agent System) [Fig. 1, and disclosure associated with Fig. 1].

Carter in view of HomeGain does not teach a negotiation history for registering negotiation history information that includes a history of negotiations between the terminal of said coordinator and the terminals of said providers described in said introduction candidate list, with said negotiation history information being registered in association with information on said coordinator (content of the history information is a design choice to meet business requirements). However, Soloman teaches system and

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method for decision state customer based on past history of sessions with that customer; and the customer's historical negotiating results [col. 5, lines 1 – 2].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Carter in view of HomeGain as taught by Solomon for making selection based on past history between service provider and requester.

Regarding claim 2, Carter in view of HomeGain and Solomon teaches:

receiving a selection result from the terminal of said coordinator, with said selection being performed by said coordinator for selecting a provider to be introduced to said applicant, out of said introduction candidate list [Fig. 3 and disclosure associated with Fig. 3];

outputting the provider information and desired term of said provider selected by said coordinator in relation to said application, to the terminal of said applicant [HomeGain teaches provider introduction].

Regarding claims 3 – 4, as responded to earlier in response to claim 1, content of the history information is a design choice to meet business requirements. Carter in view of HomeGain and Solomon teaches registering negotiation history information that includes a history of negotiations between the terminal of said coordinator and the terminals of said providers described in said introduction candidate list, with said

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negotiation history information being registered in association with information on said coordinator.

registering comments on said providers received from said coordinator terminal, associating each comment with said provider information of the provider relating to said each comment; and in said introduction candidate output step, said introduction candidate list is outputted together with said comments on said providers described in said introduction candidate list, to the terminal of said coordinator.

Regarding claims 5 – 7, Carter in view of HomeGain and Solomon teaches state information is a possessed face value of ticket received from said applicant as value for the service (business choice of how to value the product or services) [Carter, Fig. 2 and disclosure associated with Fig. 2]

adding a face value of said ticket paid by said applicant to said provider as value of the service provided, to the possessed face value of said ticket possessed by said provider (business choice to value service, for example, in a charitable dinner, price per plate paid by donor is the value of the charitable contribution considered by the donation recipient).

receiving the face value of said ticket paid by said applicant to said provider as value for the service provided, from the terminal of said applicant (charitable dinner, price per plate paid by donor is the value of the charitable contribution considered by the donation recipient).

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when said applicant is also registered as a provider by said provider registration step, then, said providing state registration step includes a step of subtracting the face value of said ticket paid by said applicant from a possessed face value of said ticket of said provider who is said applicant (taking previous example, value of meal is reduced by the donor to determine actual donation made to the charitable event).

Regarding claim 8, Carter in view of HomeGain and Solomon does not teach receiving evaluation information on the service received by said applicant from said provider, and for registering said evaluation information in association with the provider information of said provider. However, Solomon teaches gathering historical information. It is known to one of ordinary skill in the art at the time of invention that business send surveys to service recipient asking them to grade the service received from service provider. For example, automobile manufacturer surveying customer who received services at a dealership to grade their experience at that dealership.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Carter in view of HomeGain and Solomon and survey applicant to measure human experience and opinion.

Carter in view of HomeGain and Solomon teaches introduction candidate list is outputted together with evaluation information of said providers described in said introduction candidate list (design choice to elect what data is presented to a user), to the terminal of said coordinator (agent, type of user) [Carter, Fig. 1 & 3 and disclosure associated with Fig. 1 & 3].



Regarding claim 10, Carter in view of HomeGain and Solomon teaches listing order of said providers described in said introduction candidate list is decided depending on a priority of each of said providers, with said priority being decided according to matched parts between the desired term of the provider in question and the contents of said application.

Regarding claims 11 – 12, Carter in view of HomeGain and Solomon teaches:  
provider belongs to at least one of communities, with each community being a group of an arbitrary unit (design choice for grouping members);  
provider information includes identification information of the community to which said provider belongs (design choice for deciding on data content);  
application for use includes designation of a community (design choice to elect what data fields to use as search criteria); and  
introduction candidates relating to application are selected from providers belonging to the community designated by application (design choice for data extraction from a database);  
coordinators are each assigned to at least one of said communities (design choice to meet business requirements);  
introduction candidate list relating to said application is outputted to a terminal of said coordinator assigned to the community designated by said application (data query results displayed on a user device is a design choice).

Regarding claim 13, Carter in view of HomeGain and Solomon teaches at least a part of said provider information or at least a part of applicant information is closed to public (design choice for deciding on user access).

Regarding claim 14, Carter in view of HomeGain and Solomon teaches designation of a providable service, a date (or, a day of the week and a time zone), and a place (design choice for decide how a requester generates request);

application for use includes designation of a service that the applicant wishes to enjoy, a date (or, a day of the week and a time zone), and a place (design choice for decide how a requester generates request and what information is required to request services).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

1. Nagler et al. US Publication 2001/0039508

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on M-F 7:30 - 6:00 (Wednesday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Naresh Vig', with a stylized flourish at the end.

Naresh Vig  
Examiner  
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November 8, 2005